

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DONALD M. MARTIN,	)	CASE NO.: 5:11CV2230
	)	
Petitioner,	)	JUDGE JOHN ADAMS
	)	
	)	
	)	
WARDEN, Richland Correctional	)	<b><u>ORDER AND DECISION</u></b>
Institution,	)	
	)	
Respondent.	)	
	)	

The Court has examined the Report and Recommended Decision of Magistrate Judge White, submitted in this matter on August 15, 2012. Upon due consideration, and no objections having been timely filed by the parties, the Court adopts the Report and recommended findings and conclusions of the Magistrate Judge and incorporates them herein. Therefore, it is ordered that petition is hereby DISMISSED.

Pursuant to 28 U.S.C § 1915(a)(3), the Court certifies that Petitioner may not take an appeal from the Court's decision in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

October 22, 2012

/s/ John R. Adams

JUDGE JOHN R. ADAMS  
UNITED STATES DISTRICT JUDGE